



**STATE OF TENNESSEE**  
**DEPARTMENT OF COMMERCE AND INSURANCE**  
**AUCTIONEER COMMISSION**  
Davy Crockett Tower, Suite 635  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TN 37243-1152  
(615) 741-3600

The Tennessee Auctioneer Commission held its meeting June 2, 2008 at 9:00 a.m. in Nashville, Tennessee, at the Davy Crockett Tower, Room 640. Vice-Chairman Howard Phillips called the meeting to order. The following business was transacted.

**COMMISSION MEMBERS PRESENT**

Bobby Colson  
Marvin Alexander  
Howard Phillips  
Mary Frances Rudy

**STAFF MEMBERS PRESENT**

Lynn McGill, Administrative Director  
Sheila Piper, Administrative Assistant  
Adrian Chick, Staff Attorney

**COMMISSION MEMBER ABSENT**

Kenneth Dreaden

Motion was made by Howard Phillips and seconded by Marvin Alexander to adopt agenda. Motion carried. No opposition.

Minutes from the meeting of May 19, 2008 were presented to the Commission Members for approval. Motion was made by Marvin Alexander and seconded by Howard Phillips to approve said minutes. Motion carried. No opposition

Glen A. Craig, Murfreesboro, TN appeared before the Commission Members to request approval of his apprentice application. Motion was made by Marvin Alexander and seconded by Mary Frances Rudy to approve the apprentice application. Motion carried. No opposition.

William Brown appeared before the Commission Members to request a waiver of his apprentice log. The apprentice log was not required when he first tested to be an auctioneer. He let his auctioneer license become inactive in 1991. His sponsor will verify that he sponsored him for 2 years. Motion was made by Marvin Alexander and seconded by Bobby Colson that he may take the auctioneer test. Motion carried. No opposition.

Minutes

Steve Majchrzak, Assistant Commissioner, appeared before the Commission Members to discuss an investigator position. Mr. Majchrzak advised the Commission Members, that due to the hiring freeze, an investigator position would not be an option. He said that we have an investigative pool that could be used as needed. He said that an investigator could go out randomly to check on escrow accounts and contracts. Ms Rudy asked if the Commission Members could hire their on private investigator. Mr. Majchrzak said "no".

Staff Attorney did not present a Legal Report since there were no complainants to be presented.

Sheila Piper presented the following school providers to the Commission Members for approval.

Motion was made by Howard Phillips and seconded by Bobby Colson to approve Troy University for 6 hours of continuing education. Motion carried. No opposition.

Motion was made by Bobby Colson and seconded by Howard Phillips to approve Walter State Community College for 6 hours of continuing education. Motion carried. No opposition.

Motion was made by Marvin Alexander and seconded by Mary Frances Rudy to approve Southeastern School of Auctioneering for 6 hours of continuing education. Motion carried. No opposition.

Motion was made by Mary Frances Rudy and seconded by Bobby Colson to approve Mendenhall School of Auctioneering for 6 hours of continuing education. Motion carried. No opposition.

Motion was made by Bobby Colson and seconded by Mary Frances Rudy to accept Nashville Auction School's outline (attached) on qualifying education for Public Automobile Auctioneer License. Motion carried. No opposition.

The application for Public Automobile Auctioneer License was presented to the Commission Members for approval with the following changes.

Question 4. Change to: TN Auctioneer License Number

Motion was made by Mary Frances Rudy and seconded by Bobby Colson to approve the change. Motion carried. No opposition.

Question 6. Change to: Date of successful completion of thirty (30) hours of instruction in automobile auctioneering (attach proof of completion). Motion was made by Mary Frances Rudy and seconded by Bobby Colson to approve the change. Motion carried. No opposition.

Question 7. Change to: Name and address of the approved Education Provider. Motion was made by Mary Frances Rudy and seconded by Marvin Alexander to approve the change. Motion carried. No opposition.

Minutes

Commission Members decided to leave fee amount off the application.

Motion was made by Mary Frances Rudy and seconded by Marvin Alexander to approve application as corrected. Motion carried. No opposition.

The application for Public Automobile Auction License was presented to the Commission Members for approval with the following changes.

Delete: STATE SALES TAX NO.: \_\_\_\_\_

Question 4. Change to: Tennessee designated principal auctioneer name, number and issuance date. Motion was made by Mary Frances Rudy and seconded by Marvin Alexander to approve the change. Motion carried. No opposition.

Question 5. Motion was made by Bobby Colson and seconded by Marvin Alexander to delete. Motion carried. No opposition.

Question 6. Motion was made by Bobby Colson and seconded by Mary Frances Rudy to delete. Motion carried. No opposition.

Question 7. (Add owner) Change to: Has any partner, owner, officer, or director ever been indicted or convicted of felony on charges involving embezzlement, obtaining money under false pretenses, larceny, or extortion? No\_\_\_Yes\_\_\_ (If yes, attach all court documentation and a letter of explanation).

Motion was made by Mary Frances Rudy and seconded by Marvin Alexander to approve the change. Motion carried. No opposition

Question 8. (Add owner) Change to: Are there any civil suits or judgments pending against any partner, officer, owner, or director at this time? No\_\_\_yes\_\_\_ (If yes, attach a letter of explanation). Where?

Motion was made by Mary Frances Rudy and seconded by Bobby Colson to approve the change. Motion carried. No opposition.

Question 9. (Add owner) Has any partner, officer, owner, or director ever had an auctioneer's license, real estate brokers or any other type of occupational license suspended, revoked, refused or disciplined by this State or any other State?

Motion was made by Mary Frances Rudy and seconded by Bobby Colson to approve the change. Motion carried. No opposition.

June 2, 2008

Question 10. Does the principal auctioneer for the Public Automobile Auction License understand and accept that he/she will be held accountable for all professional actions of all members and employees of the firm when operating within the scope of their professional activities? No\_\_\_Yes\_\_\_

Motion was made by Mary Frances Rudy and seconded by Marvin Alexander to approve the change. Motion carried. No opposition

11. Add owner. I hereby certify that the statements in or attached to this application are true and correct to the best of my knowledge and belief; that the members of this organization are familiar with the provisions of the law under which this application is made; and that I, as proprietor, partner, owner, or proper officer of the corporation, have authority to make the statements contained herein.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Personal signature of applicant or authorized official of firm

E-mail address: \_\_\_\_\_ Title: \_\_\_\_\_

Motion was made by Marvin Alexander and seconded by Mary Frances Rudy to approve the change. Motion carried. No opposition

#### AFFIDAVIT

(Read Carefully)

The undersigned by submitting this application to the Tennessee Auctioneer Commission for a license to conduct the business under the provisions of the Auctioneer's License Act of 1967, as amended, swears (or affirms) that he or she has read and is thoroughly familiar with provisions of the aforementioned Act, and agrees to fully comply with them. The undersigned further swears (or affirms) that all of the information given in this application is true to the best of his or her knowledge and belief.

\_\_\_\_\_  
Signature: Owner(s) of Business

\_\_\_\_\_  
Signature of designated TN License Auctioneer

\_\_\_\_\_  
Print Name(s)

\_\_\_\_\_  
Print Name

Subscribed and sworn to before me this \_\_\_\_\_, day of \_\_\_\_\_ 20\_\_\_\_\_

(Seal)

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
County

\_\_\_\_\_  
State

\_\_\_\_\_  
Notary Public

Minutes

Page 5

June 2, 2008

Mail application and fee to:

Department of Commerce and Insurance  
Tennessee Auctioneer Commission  
500 James Robertson Pkwy  
Nashville, TN 37243-1153

Motion was made by Mary Frances Rudy and seconded by Marvin Alexander to remove fee amount from the application. Motion carried. No opposition.

Motion was made by Mary Frances Rudy and seconded by Marvin Alexander to approve application as corrected. Motion carried. No opposition.

Next meeting scheduled for July 7, 2008 at 8:30.

Motion was made by Marvin Alexander and seconded by Bobby Colson to adjourn. Motion carried. No opposition

APPROVED:

Kenneth Dreaden  
Chairperson

Howard Phillips  
Vice-Chairperson

Marvin Alexander  
Board Member

Bobby Colson  
Board Member

Mary Frances Rudy  
Board Member